



**THE CITY OF NEW YORK**  
**LAW DEPARTMENT**  
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May 3, 2013

**VIA ECF**

Honorable Cheryl L. Pollak  
United States Magistrate Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Nidia Nunez, et al. v. City of New York, et al.,  
12-CV-5278 (CBA)(MDG)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney assigned to represent defendants in the above-referenced matter. Enclosed please find a duly executed Stipulation and Order of Dismissal for Your Honor's endorsement and filing.

I thank the Court for its time and consideration herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "P. Beath".

Patrick Beath  
Assistant Corporation Counsel

Enc.

cc: Justin Delle Cave, Esq. (By ECF)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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NIDIA NUNEZ on behalf of her minor child J.N.,

Plaintiffs, **STIPULATION AND  
ORDER OF DISMISSAL**

-against-

12-CV-4661 (ILG) (CLP)

NEW YORK CITY, POLICE OFFICER DAVID  
ROSENBERG and POLICE OFFICER RICHARD  
CHARLES, individually, and in their official capacity as  
members of the New York City Police Department,

Defendants.

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**WHEREAS**, the parties have reached a settlement agreement and now desire to resolve the remaining issues raised in this litigation, without further proceedings and without admitting any fault or liability;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, that

1. The above-referenced action is hereby dismissed with prejudice; and

2. Notwithstanding the dismissal of this action in accordance with this agreement, the District Court shall continue to maintain jurisdiction over this action for the purpose of enforcing the terms of the settlement agreement reached between the parties and set forth in the Stipulation of Settlement executed by the parties in this matter.

PetersonDelleCave LLP  
*Attorneys for Plaintiff*  
233 Broadway, Suite 1800  
New York, NY 10279

By:

  
Justin Delle Cave, Esq.

MICHAEL A. CARDOZO  
Corporation Counsel of the  
City of New York  
*Attorney for Defendants City and  
Rosenberg*  
100 Church Street, Rm. 3-176  
New York, New York 10007

By:

  
Patrick Beath  
*Assistant Corporation Counsel*

SO ORDERED:

Dated: New York, New York  
\_\_\_\_\_, 2013

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HON. CHERYL L. POLLAK  
UNITED STATES MAGISTRATE JUDGE